



#24138  
4/16/03

Express Mail No: EL 501 759 198 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nehls et al.

Confirmation No: 9822

Serial No.: 09/398,253

Group Art Unit: 1643

Filed: September 17, 2003

Examiner: Kim, Young J.

For: NOVEL HUMAN POLYNUCLEOTIDES  
AND POLYPEPTIDES ENCODED  
THEREBY

Attorney Docket No.: 8535-026-999

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56 AND § 1.97**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Applicants hereby direct the Examiner's attention to the references listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant."

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art". As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of

RECEIVED  
APR 14 2003  
TECH CENTER 1600/2900

04/10/2003 ZJUNAR1 00000061 161150 09398253

02 FC:1806 180.00 CH

References Cited by Applicant" instead of "List of Prior Art Cited". Copies of References AT-AU are being submitted herewith.

Pursuant to 37 CFR § 1.97(c), please charge the required fee of \$180.00 to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Respectfully submitted,

Date: April 7, 2003

By: <sup>40,258</sup> *Chisley*  
Laura A. Coruzzi  
Laura A. Coruzzi (Reg. No. 30742)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosure